The Himachal Pradesh Krishi Vishva Vidyalaya Act 1978

Act 30 of 1978

Keyword(s):
Academic council, Agricultural, Extension, Faculty

Amendment appended: 5 of 1981

THE HIMACHAL PRADESH KRISHI VISHVA VIDYALAYA ACT, 1978

Arrangement of Sections

Sections :

THE HIMACHAL PRADESH KRISHI VISHVA VIDYALAYA ACT, 1978

(ACT NO. 30 OF 1978)[1]

(Received the assent of the Governor, Himachal Pradesh on the 4th October, 1978 and was published in R.H.P. Extra., dated the 6th October, 1978, p. 1325-1350).

An Act to establish and incorporate a University for the development of agriculture, including horticulture and allied sciences, in the State of Himachal Pradesh.

WHEREAS it is expedient to establish and incorporate a University for the development of agriculture, horticulture, animal husbandry and allied sciences in the State of Himachal Pradesh and matters related thereto.

IT is hereby enacted by the State Legislative Assembly of Himachal Pradesh in the Twenty-ninth Year of the Republic of India as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978.

(2) It extends to whole of the State of Himachal Pradesh.

(3) It shall come into force on such date [2]as the State Government may, by notification in the Official Gazette, appoint.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(*a*) "Academic Council" means the Academic Council of the University;
(*b*) "Act" means the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978;
(*c*) "agriculture" means the basic and applied science of soil and water management, crop production including production of all the horticultural crops, forestry including farm forestry, home science, food science, agricultural engineering and technology, animal husbandry including veterinary and dairy science, fisheries, marketing, processing, co-operation, land use and management and the economic and social uplift of the rural people;
(*d*) "allied sciences" include sericulture, bee-keeping, social sciences and subjects pertaining to agricultural technology;
(*e*) "appointed day" means the date appointed under sub-section (3) of section 1 for the commencement of the Act;

1. For Statement of Objects and Reasons see R. H. P. Extra., dated 16-9-1978, p. 1733.
2. It came into force w. e. f. 1-11-1978 (Not Appended).

(*f*) "authority" means any authority of the University as specified in section 9 of the Act;

(*g*) "Board" means the Board of Management of the University constituted under section 10; as

(*h*) "Chancellor" means the Chancellor of the University;

(*i*) "college" means a constituent college of the University under the direct control and management of the Board and the Principal Executive Officer of the University, whether located at the headquarters, campus or elsewhere;

(*j*) "Dean" means the Deans of the Colleges and Dean of Post-graduate Studies;

(*k*) "extension" means the educational activities concerned with the training of farmers and home makers and other groups serving agriculture, animal husbandry, forestry and allied sciences in improved agricultural practices and the various phases of scientific technology related to agriculture and agricultural production, and marketing;

(*l*) "faculty" means the teaching, research and extension staff of a college or a department of the University, including all members of the staff having the rank of Assistant Professor and above;

(*m*) "Government" or "State Government" means the Government of the State of Himachal Pradesh;

(*n*) "Governor" means the Governor of the State of Himachal Pradesh;

(*o*) "hostel" means a place of residence for students of the University maintained or recognised by the University either as a part of or separate from a college;

(*p*) "Officer" means an officer of the University as specified in section 17 of the Act;

(*q*) "prescribed" means prescribed by the Statutes and Regulations made under the Act;

(*r*) "regulations" means the rules and procedures established for the operation and functioning of authorities as specified in section 9 of the Act, and may include the provisions made by the Academic Council relating to the establishment and maintenance of academic standards of the University as well as provisions established by the competent authority of the University for the conduct of staff, students and other employees of the University and for conducting the ordinary routine business of the University. These may include provisions relating to the service conditions of employees;

(*s*) "Statutes" means the Statutes of the University governing matters of policy and procedure as set forth in section 55 of the Act;

(*t*) "scheduled caste" means the scheduled castes specified in Part VI of the Schedule to the Constitution (Scheduled Castes) Order, 1950, or/and notified by the Government;

(*u*) "scheduled tribes" means the scheduled tribes specified in Part V of the Schedule to the Constitution (Scheduled Tribes) Order, 1950, or/and notified by the Government;

(*v*) "student of the University" means the person enrolled in the University for taking a course of study in the University, for a degree, diploma or other academic distinction duly instituted;

(w) "teacher" means a person appointed under section 36 of the Act for the purpose of imparting instruction and/or conducting and guiding research and/or extension programme and may include any other person who may be declared by the Statutes to be a teacher on such terms and conditions as may be prescribed by the Board;

(x) "University" means the Himachal Pradesh Krishi Vishva Vidyalaya as constituted under the Act; and

(y) "Vice-Chancellor" means the Vice-Chancellor of the University.

3. **Establishment and incorporation of the University.**—(1) There shall be constituted in the State of Himachal Pradesh a University by the name of "The Himachal Pradesh Krishi Vishva Vidyalaya".

(2) The first Chancellor, the first Vice-Chancellor, the first members of the Board of Management and the Academic Council and other authorities and officers as set-forth in this Act or as provided in the Statutes and all persons who may hereafter become such officers or members or authorities so long as they continue to hold such office or memberships, shall constitute a body corporate by the name of the University specified in sub-section (1).

(3) The University shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the said name.

(4) The University shall be competent to acquire and hold property, both movable and immovable, by way of purchase, lease and exchange or otherwise, and to sell or otherwise transfer any movable or immovable property which may have become vested in or have been acquired by it for the purpose of the University, and to borrow moneys from the Central Government, State Government or from any corporate body approved by the State Government and to contract and do all things necessary for the purposes of this Act:

Provided that no immovable property of the University shall, except with the prior approval of the Government, be transferred by the Board of Management, by way of sale, lease, mortgage and gift only, nor shall any money be borrowed or advance be taken on the security thereof.

(5) The headquarters of the University shall be at Palampur. The University may also establish an office at the seat of the Government.

4. **Territorial jurisdiction.**—(1) With respect to teaching at the University or college level, research and extension education programmes in the field of agriculture and horticulture as broadly defined in this Act, the territorial jurisdiction and responsibility of the University shall extend to the entire State of Himachal Pradesh.

(2) The University may assume responsibility for the maintenance of agriculture, horticulture, animal husbandry, forestry, home science, food science, sericulture, bee-keeping and fishery, training centres and research and experimental stations and for the programmes of training of field extension workers therein and for the establishment, development and operation of Agricultural Polytechnics as may be required in various parts of the State.

(3) All colleges, research and experimental stations, or other institutions coming under the jurisdiction and authority of the Agricultural Complex of

the Himachal Pradesh University shall come in as constituent units of the University under the full management and control of the University officers and authorities. No unit shall be recognised as an affiliated unit.

(4) Notwithstanding anything contained in any other law for the time being in force, no educational institution situated within the State and run by the Government or the Himachal Pradesh University, imparting instruction in agriculture, as defined by the Act, for bachelors degree and above, shall be associated in any way with or be admitted to any privilege of any other University incorporated by law in India and such privilege granted by any such other University to any educational institution within the State prior to the appointed day, shall be deemed to be withdrawn on the commencement of the Act.

(5) The University shall have exclusive jurisdiction throughout the whole State to provide for teaching, research and extension education in agriculture, as defined in the Act, and notwithstanding anything contained in the law relating to incorporation of any other University in the State, no University shall be competent to provide for teaching, research and extension education in agriculture, in the State.

(6) No University other than the University incorporated under this Act shall be competent to award any degree for research in agriculture carried on in the State unless registered for such degree before the establishment of the University.

(7) The University may have collaboration in research projects with other Universities having multi-disciplinary approach, Central and State institutions.

(8) On the establishment of the University under this Act in the State, the assets and liabilities of the Himachal Pradesh University pertaining to its Agricultural Complex shall stand transferred to and shall vest in such University.

5. **Objects of the University.**—The University shall be (deemed to be) established and incorporated for the following purposes, namely:—

(1) making provision for imparting education in different branches of study, particularly agriculture, agricultural engineering, horticulture, veterinary and animal science, fisheries, forestry, home science, food science and any other allied branches of learning and scholarship, which the University may find necessary to include;
(2) furthering the advancement of learning and prosecution of research, particularly in agriculture, horticulture and other allied sciences;
(3) undertaking the extension of such sciences specially to the rural people of the State; and
(4) such other purposes as the University may from time to time determine.

6. **Admission to the University.**—(1) The University shall, subject to the provisions of this Act and the Statutes, be open to all persons:

Provided that nothing in this section shall—

(*a*) require the University to admit to any course of study any person who does not meet the prescribed academic standards for admis-

sion to or to retain on the rolls of the University persons whose academic records are below the minimum standards required for the award of a degree or whose personal conduct is such as to be prejudicial to the purposes of the University or to the rights and privileges of other students and staff;

(*b*) be deemed to require the University to admit to any course of study a larger number of students than can be accommodated in the available faculties of the University or in any particular college or department as determined by the Academic Council.

(2) Subject to the foregoing provisions, the University shall, according to the decision of the Board, reserve in colleges seats for scheduled castes, and scheduled tribes, provided that no such person shall be entitled to be admitted to the University unless he meets the standards for admission laid down by the University in respect of such candidates.

7. Powers and functions of the University.—The University shall have the following powers and functions, namely.—

(1) to provide for instruction in agriculture and horticulture as broadly defined, and any other allied branch of learning as the University may deem fit;

(2) to provide for conduct of research in agriculture, horticulture and allied branches of learning;

(3) to provide for dissemination of the finding of research and technical information through an extension education programme;

(4) to institute degrees, diplomas, certificates and other academic distinctions;

(5) to institute courses of study and hold examinations and confer degrees, diplomas, certificates and other academic distinctions on persons who have—

(*a*) pursued a course of study as prescribed, or

(*b*) carried out research in the University or institution recognised in this behalf by the University, as may be prescribed;

(6) to confer honorary degrees and other distinctions as may be prescribed;

(7) to provide lectures and instructions for field workers, farmers, village leaders and other persons not enrolled as regular students of the University and to grant certificates to them as may be prescribed;

(8) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine, subject to the limitations set forth in section 4 of this Act;

(9) to maintain colleges relating to agriculture, horticulture, fisheries, diarying, veterinary, medicine, animal husbandry, home science, food science, agricultural engineering, forestry and allied sciences;

(10) to maintain laboratories, libraries, research stations and institutions and museums for teaching, research and extension education;

(11) to institute teaching, research and extension education posts and to make appointments thereto;

(12) to create administrative, ministerial and other posts and to make appointments thereto;

(13) to institute and award fellowships, scholarships and prizes in accordance with the Statutes;

(14) to institute and maintain residential accommodation for students and staff of the University;

(15) to fix, demand and receive such fees and other charges as may be prescribed;

(16) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and welfare;

(17) to determine qualifications for teachers and to recognise persons as qualified to give instructions in a college or to carry out research and extension education in agriculture, horticulture, animal husbandry and allied sciences; and

(18) to do all such acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

8. Visitation and inspection.—(1) The Chancellor shall have the right to cause an inspection to be made by such person(s) as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment and any institution, college or hostel maintained or administered by the University of the teaching and other work conducted by the University or under its auspices and of the conduct of any other functions of the University, and to cause an inquiry to be made in respect of any matter connected with adminsitration and finances of the University.

(2) The Chancellor shall, in every case, give due notice to the University of his intention to cause an inspection or inquiry to be made, and the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(3) The Chancellor shall communicate to the University the results of such inspection or inquiry, and may, after ascertaining the opinion thereon of the University, advise the University upon the action to be taken and fix a time limit for taking such action.

(4) The University shall, within the time limit so fixed, report to the Chancellor, the action which has been taken or is proposed to be taken on the advice tendered by the Chancellor.

(5) The Chancellor may, where action has not been taken by the University to the satisfaction of the Chancellor within the time limit fixed and after considering any explanation furnished or representation made by the University, issue such directions as the Chancellor may think fit, and the University shall comply with such directions.

(6) Notwithstanding anything contained in the preceding sub-sections of this section, if at any time the Chancellor is of the opinion that the affairs of the University are not managed in furtherance of the objects of the University, or in accordance with the provisions of the Act, and the statutory regulations or the special measures desirable to maintain the standards of University teaching, examination, research, or extension, he may indicate to the University any matter in regard to which it desires an explanation, and call upon the University to offer such explanations within such time as may be specified by the Chancellor. If the University fails to offer any explanation within the time specified or offers an explanation which, in the opinion of the Chancellor is unsatisfactory, the Chancellor may issue such instructions as

appear to him to be necessary and desirable in the circumstances of the case and may exercise such powers as he may consider necessary for giving effect to these instructions.

(7) The University shall furnish such information relating to the administration of the University as the Chancellor may require.

9. **Authorities.**—The following shall be the authorities of the University, namely:—

(*i*) the Board of Management;
(*ii*) the Academic Council;
(*iii*) the Faculties; and
(*iv*) such other bodies of the University as may be declared by the Statutes to be the authorities of the University.

10. **Constitution of the Board of Management.**—(1) The Chancellor shall as soon as may be after the first Vice-Chancellor is appointed under section 19, take action to constitute the Board of Management.

(2) The Board shall consist of the following, namely:—

Ex-officio members :

(*i*) the Vice-Chancellor;
(*ii*) the Agricultural Production Commissioner to the Government;
(*iii*) the Secretary (Finance) to the Government;
(*iv*) four Heads of Government Departments of Agriculture, Horticulture, Forests and Animal Husbandry; and
(*v*) two officers appointed by the Board from amongst the Deans and Directors of the University for a term of three years.

Other members :

(*vi*) two eminent scientists one in agriculture and the other in horticulture with background of research or education, to be nominated by the Chancellor;
(*vii*) two progressive farmers to be nominated by the Chancellor;
(*viii*) a distinguished industrialist or manufacturer having special knowledge in agricultural development to be nominated by the Chancellor;
(*ix*) one outstanding woman social worker preferably having background of rural advancement to be nominated by the Chancellor;
(*x*) a distinguished engineer to be nominated by the Chancellor;
(*xi*) an eminent educationnist to be nominated by the Chancellor;
(*xii*) a representative of the Indian Council of Agricultural Research; and
(*xiii*) three teachers from amongst the appointed teachers to be elected by them.

(3) The Registrar shall be the non-member Secretary of the Board.

(4) The term of office of the members of the Board, other than *ex-officio* members shall be three years. A member shall be eligible to serve more than one term. In the first Board, the members other than *ex-officio* members shall draw lots with four serving for one year, four for two years and the remaining four for three years. Thereafter the terms of four members shall expire and their successors, shall be nominated or elected, as the case may be, each year.

(5) A member of the Board may resign his office by a notice, in writing, addressed to the Chancellor of the University.

(6) If, for any reason, a vacancy occurs in the office of a non-official member of the Board, the same may be filled by appointing or nominating another person thereto, as the case may be, for the unexpired term in accordance with the provisions of this section.

(7) Seven members of the Board shall form quorum for a meeting of the Board:

Provided that if a meeting of the Board is adjourned for want of quorum, no quorum shall be necessary at the next meeting for the transaction of the same business.

(8) The Vice-Chancellor shall be the Chairman of the Board.

(9) The members of the Board shall not be entitled to receive any remuneration for the performance of their functions under this Act except such daily and travelling allowances as may be prescribed:

Provided that nothing herein shall affect the emoluments or other conditions of service of the Vice-Chancellor.

(10) On and from the appointed day, the members of the Board of Management of the Himachal Pradesh University for the Agricultural Complex shall be deemed to have vacated their offices as such.

(11) No officer or other employee of the University shall be eligible to be a member of the Board under clauses (*vi*), (*vii*), (*viii*), (*ix*), (*x*) and (*xi*) of sub-section (2).

11. **Powers and duties of the Board.**—(1) The Board shall exercise and perform the following powers and functions, namely:—

(*a*) to review and consider the financial requirements and estimates for the University and approve its budget;
(*b*) to make appointments to the posts in accordance with the provisions of the Act;
(*c*) to provide for the administration of any funds placed at the disposal of the University for the purposes intended;
(*d*) to arrange for the investment and withdrawal of funds of the University;
(*e*) to borrow money for capital improvements and make suitable arrangements for its repayment;
(*f*) to provide for accepting, acquiring, holding and disposal of property on behalf of the University;
(*g*) to direct the form and use of the common seal of the University;
(*h*) to appoint such committees, either standing or temporary, as the Board may consider necessary, and establish the terms of references thereof within the limitations of the Act or the Statutes;
(*i*) to determine and regulate all policies relating to the University in accordance with this Act or the Statutes;
(*j*) to make financial provision for instruction, teaching and training in such branches of learning and courses of study as determined

by the Academic Council within the purposes of this Act, and for research and for the advancement and dissemination of knowledge;

(*k*) to provide for the establishment and maintenance of colleges, hostels, laboratories, experimental farms and other facilities necessary for carrying out the purposes of this Act;

(*l*) to make provision for instituting and conferring degrees, diplomas, certificates and other academic distinctions;

(*m*) to provide for institution, maintenance and award of scholarships, fellowships, studentships, medals, prizes, etc;

(*n*) to accept on behalf of the University trusts, bequests and donations;

(*o*) to meet at such times and in such places, as often as it may deem necessary;

Provided that regular meetings of the Board shall be held at least once in every three months;

(*p*) to regulate and determine all matters concerning the University in accordance with the Act and the Statutes and to exercise such powers and to discharge such duties as may be conferred on or imposed upon the Board by this Act or the Statutes.

(2) The Board may, for purposes of consultation, invite any person having experience or special knowledge on any subject under consideration to attend its meeting. Such person may speak in and otherwise take part in the proceedings of such meeting but shall not be entitled to vote at any such meeting. Any person so invited shall be entitled to such allowances for attending the meeting as may be prescribed.

12. **The Academic Council.**—(1) The Academic Council shall be in-charge of the academic affairs of the University and shall, subject to the provisions of the Act and the Statutes, superintend, direct and control, and to be responsible for the main tenance of standards of instruction, education and examinations and other matters connected with the conferment of degrees or award of diplomas, certficates and shall exercise such other powers and perform such other duties as may be conferred or imposed on it by the Statutes. It shall advise the Vice-Chancellor on all academic matters.

(2) The Academic Council shall consist of the following members, namely:—

(*i*) the Vice-Chancellor who shall be the *ex-officio* Chairman;

(*ii*) the Deans of the Colleges of the University;

(*iii*) the Director of Research of the University;

(*iv*) the Director of Agricultural Extension Education of the University;

(*v*) the Dean of Post-Graduate Studies of the University;

(*vi*) the Students Welfare Officer of the University;

(*vii*) the Librarian of the University;

(*viii*) the Heads of Post-Graduate Departments of the University;

(*ix*) two Professors other than Deans and Heads of Departments of the University by rotation on the basis of seniority;

(*x*) three Associate Professors other than Heads of Departments in the Departments of the University by rotation on the basis of seniority;

(*xi*) five Assistant Professors in the Departments of University by rotation on the basis of seniority;

(*xii*) the Chairman, Himachal Pradesh Board of School Education;

(*xiii*) the Vice-Chancellor may nominate not more than five persons for such periods and in such manner as may be prescribed so as to secure adequate representation of different aspects of agriculture; and

(*xiv*) the Registrar shall be *ex-officio* Secretary of the Academic Council.

(3) The term of office of the members specified in clauses (*ix*), (*x*) and (*xi*) of sub-section (2) shall be two years.

(4) One-third of the number of members of the Academic Council shall form a quorum:

Provided that if a meeting of the Academic Council is adjourned for want of a quorum, no quorum shall be necessary at the next meeting for the transaction of the same business.

13. **Powers, functions and duties of the Academic Council.**—(1) The Academic Council shall, subject to the provisions of this Act and the Statutes, have general control on teaching and other educational programmes, within the University, and shall be responsible for the maintenance of standards thereof.

(2) It shall have power to make regulations consistent with this Act and the Statutes relating to all academic matters subject to its control and to amend or repeal such regulations.

(3) In particular, and without prejudice to the generality of the foregoing power, the Academic Council shall have power to—

(*i*) advise the Board on all academic matters including the control and management of libraries;

(*ii*) make recommendations for the institution of new colleges, departments, experimental stations, sub-stations, professorships, associate professorships, assistant professorships and other teaching posts including posts in research and extension education and in regard to the duties thereof;

(*iii*) formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching research and extension education;

(*iv*) make regulations regarding the admission of students to the University and determine the number of students to be admitted;

(*v*) make regulations relating to the courses of study leading to degrees, diplomas and certificates;

(*vi*) make regulations relating to the conduct of examinations and to maintain and promote standards;

(*vii*) make recommendations regarding post-graduate teaching, research and extension education;

(*viii*) make recommendations regarding the qualifications to be prescribed for teachers in the University;

(*ix*) recommend to the Board the conferment of honorary degrees; and

(*x*) exercise such other powers and perform such other duties as may be conferred or imposed on it by or under the provisions of this Act.

14. The Faculties.—(1) The existing Faculty of Agriculture and Forestry of the Himachal Pradesh University may further be split into different faculties according to the needs.

(2) Each Faculty shall comprise such departments of study as may be prescribed by the Statutes.

(3) Each Faculty shall consist of such members and shall have such powers and perform such duties as may be prescribed by the Statutes.

(4) Each college department shall have a Head whose appointment powers and duties shall be as may be prescribed by the Statutes and who shall be responsible to the Dean for the proper organisation and working of the Department and shall be responsible to the Directors of Research and Extension Education, respectively for the research and extension education entrusted to his department.

15. Provisions in relation to membership of authorities.—(1) Save as otherwise provided in this Act, if any member, other than *ex-officio* member of any authority or other body of the University is unable by reason of his death, resignation, removal or otherwise to complete his full term of office, the vacancy so caused shall, as soon as convenient, be filled by the appointment, election, or nomination, as the case may be, and the person so appointed, elected or nominated, shall fill such vacancy for the unexpired portion of the term for which the member, in whose place such person is appointed, elected or nominated, would otherwise have continued in office.

(2) The Chancellor on the recommendation of the Board may remove any person from membership of any authority of the University on the ground that such person has been convicted of an offence involving moral turpitude:

Provided that no order for removal shall be passed against any person without giving him an opportunity of being heard.

(3) A person who is a member of any authority of the University as a representative of another body, whether of the University or not, shall cease to be a member of such authority or body if, before the expiry of the term of his membership, he ceases to be a member of that other body by which he was appointed or elected.

(4) Whenever any person becomes a member of any authority of the University by virtue of the office held by him, he shall forthwith cease to be a member of such authority or body if he ceases to hold such office before the expiry of the term of his membership:

Provided that he shall not be deemed to have ceased to hold his office merely by reason of his proceeding on leave for a period not exceeding four months.

(5) Any member, other than *ex-officio* members of any authority of the University, may resign his office by letter addressed to the Registrar for being placed before the appropriate authority.

(6) Any officer of the University whether salaried or otherwise, other than the Dean or the Director, may resign his office by letter addressed to the Vice-Chancellor and such resignation shall take effect from the date on which the

same is accepted by the authority competent to fill the vacancy or on the expiry of three months from the date of the receipt by the Vice-Chancellor, whichever is earlier.

16. **Validity and protection of certain acts.**—(1) No act or proceeding of any authority or other body of the University shall be invalid merely by reason of the existence of any vacancy among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

(2) Save as otherwise provided in this Act, all acts and orders in good-faith done and passed by the University or any of its authorities shall be final and no suit shall be instituted against or damages claimed from the University or its authority for anything done or purported to be done in pursuance of this Act or the Statutes or the Regulations.

(3) No suit, prosecution or other proceedings shall lie against any officer or other employee of the University for any act done or purported to be done under this Act or the Statutes or the Regulations without the previous sanction of the Board.

(4) No officer or other employee of the University shall be liable in respect of any such act in any civil or criminal proceeding if the act was done in good faith in the course of the execution of the duties or in discharge of the functions imposed by or under this Act.

17. **Officers of the University.**—The following may be the officers of the University, namely:—

(*i*) the Chancellor;
(*ii*) the Vice-Chancellor;
(*iii*) the Dean of Post-graduate Studies;
(*iv*) the Deans of Colleges;
(*v*) the Director of Research;
(*vi*) the Director of Agricultural Extension Education;
(*vii*) the Students Welfare Officer;
(*viii*) the Registrar;
(*ix*) the Comptroller;
(*x*) the Estate Officer;
(*xi*) the Librarian; and
(*xii*) such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

18. **Powers and duties of the Chancellor.**—(1) The Governor of the State of Himachal Pradesh shall, by virtue of his office, be the Chancellor of the University.

(2) The Chancellor shall be the Head of the University and shall, when present, preside at any convocation of the University.

(3) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.

(4) The Chancellor shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Act or the Statutes.

19. The Vice-Chancellor.—(1) The Vice-Chancellor shall be a whole time officer of the University. The first Vice-Chancellor after the commencement of this Act shall be appointed by the Government for a period of five years and on such terms and conditions as the Government may determine. Subsequent Vice-Chancellor(s) shall be appointed by the Chancellor on the recommendation of a Selection Committee consisting of—

(*i*) a nominee of the Chancellor;

(*ii*) the Director General, Indian Council of Agricultural Research; and

(*iii*) the Chairman, University Grants Commission.

(2) The Vice-Chancellor shall normally hold office for a term of five years and be eligible for re-appointment for another like term but not beyond the age of 65 years. The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be prescribed and shall not vary to his disadvantage after his appointment:

Provided that the Chancellor may allow him to continue in office until his successor is appointed, but this period shall not exceed one year.

(3) The Vice-Chancellor may, by writing under his hand addressed to the Chancellor, resign his office. The resignation shall be delivered to the Chancellor ordinarily at least 60 days prior to the date on which the Vice-Chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier. The resignation shall take effect from the date of relief.

(4) In the temporary vacancy of the Vice-Chancellor on leave or whatever reason or until such time the vacancy caused by any other manner is filled, the senior-most from amongst the Deans and the Directors should temporarily carry on the routine duties of the office. Where the post of the Vice-Chancellor falls permanently vacant either by resignation or otherwise, the vacancy shall be filled in accordance with the provisions of sub-section (1) of this section and the Vice-Chancellor so appointed shall hold office for a full term or till the attainment of the age of 65 years, whichever is earlier.

(5) If, in the opinion of the Chancellor, the Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him and if it appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interest of the University, the Chancellor may, after consultation with the Board and the Government, by order remove the Vice-Chancellor after giving him an opportunity of showing cause against the action proposed to be taken in regard to him.

20. Powers and duties of the Vice-Chancellor.—(1) The Vice-Chancellor shall be the Principal Executive and Academic Officer of the University and *ex-officio* Chairman of the Board and of the Academic Council. He shall, in the absence of the Chancellor, preside at the convocation of the University and confer degrees on persons entitled to receive them.

(2) The Vice-Chancellor shall exercise control over the affairs of the University and shall be responsible for the maintenance of the discipline and order in the University.

(3) The Vice-Chancellor shall convene a meeting of the Board of Management and the Academic Council, unless he temporarily delegates the power to some other officer of the University.

(4) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act, the Statutes and the Regulations and he shall exercise such powers as may be necessary in that behalf.

(5) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and the annual accounts and balance sheet to the Board.

(6) The Vice-Chancellor may take any action in any emergency which in his opinion calls for immediate action and he shall in such a case and as soon as may be thereafter report his action to the authority which would ordinarily have dealt with the matter and if the authority disagrees with the action of the Vice-Chancellor the matter shall be referred to the Chancellor, whose decision shall be final:

Provided that nothing in this section shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorised and provided for in the budget.

(7) Subject to the provisions of the preceding sub-sections, the Vice-Chancellor shall give effect to the orders of the Board regarding the appointment, suspension and dismissal of officers, teachers and other employees of the University.

(8) Where any action taken by the Vice-Chancellor under sub-section (6) affects any person in the service of the University to his disadvantage, such action shall not be taken unless the person concerned has been given a reasonable opportunity of being heard and the person against whom any action is proposed to be taken may prefer an appeal to the Board within thirty days of the date on which the action proposed to be taken is communicated to him.

(9) The Vice-Chancellor shall be responsible for the proper administration of the University and for a close co-ordination and integration of teaching, research and extension education.

(10) The Vice-Chancellor may appoint temporarily, under intimation to the Board, a suitable person for a period not exceeding six months in a vacancy of an officer, teacher or any other employee in the University.

(11) The Vice-Chancellor shall exercise such other powers, as may be prescribed, for carrying out the purposes and provisions of this Act.

21. Extraordinary powers of the first Vice-Chancellor.—(1) The first Vice-Chancellor shall, for a period of six months from the date of his appointment or such shorter period as may be determined by the Chancellor, have the following powers, namely:—

(*i*) with the previous approval of the Chancellor, to make the first Statutes to provide for functioning of the University;

(*ii*) with the previous approval of the Chancellor, to constitute provisional authorities and bodies and on their recommendation make rules for the conduct of the work of the University;

(*iii*) subject to the control of the Chancellor, to make such financial arrangements and incur such expenditure as may be necessary to enable this Act or any part thereof to be brought into operation;

(*iv*) with the previous approval of the Chancellor, to make such appointments as may be necessary to enable this Act or any part thereof to be brought into operation;

(*v*) with the previous approval of the Chancellor, to appoint committees that he may think fit to discharge such of the functions as he may direct; and

(*vi*) to exercise all or any of the powers conferred on the Board by this Act or the Statutes.

(2) Any order passed by the Vice-Chancellor in exercise of the powers conferred on him by clauses (*ii*), (*iv*) and (*v*) of sub-section (1) shall continue to have effect after the expiry of the period specified under sub-section (1), until it is modified or set aside by the authority or body competent to deal with it in accordance with the provisions of this Act.

22. Other Officers of the University.—general terms and conditions.—(1) An officer of the University referred to in clauses (*iii*) to (*xii*) of section 17 shall be a whole time officer of the University and shall be appointed by the Board on the recommendations of the Selection Committee, as may be consituted for the purpose under the Statutes.

(2) The salary and allowances and other conditions of service of such an officer shall be as may be prescribed by the Statutes.

23. The Dean of Post-graduate Studies.—The Dean of Post-graduate Studies shall have the following duties, namely:—

(*a*) to co-ordinate post-graduate studies in all colleges, departments and sections of the University;

(*b*) to supervise maintenance of records pertaining to post-graduate courses, instructions and students; and

(*c*) to effect general co-ordination of post-graduate thesis, research programmes with the on-going programme of the University's agricultural research service, through the Director of Agricultural Research.

(24) Deans of colleges.—(1) Each college shall have a Dean, who shall be responsible to the Vice-Chancellor for all matters concerning his college.

(2) The Dean shall also be responsible for the organisation and the conduct of resident instruction of the departments of the colleges.

25. Director of Research.—(1) There shall be a Director of Research, who shall be responsible to the Vice-Chancellor. The Director of research shall also be responsible for the direction and co-ordination of research programme as set forth in section 34 of this Act and efficient working of the research stations.

(2) The Director of Research shall exercise such powers and perform such duties as may be conferred or imposed on him by the Statutes.

26. Director of Extension Education.—(1) There shall be a Director of Extension Education, who shall be responsible to the Vice-Chancellor. He shall

also be responsible for the agricultural extension programme as set forth in section 35 of this Act.

(2) The Director of Extension Education shall exercise such powers and perform such duties as may be conferred or imposed on him by the Statutes.

27. **Students Welfare Officer.**—(1) The Students Welfare Officer shall have the following duties, namely:—

(*a*) to make arrangements for the housing of students;
(*b*) to direct a programme of student-counselling;
(*c*) to arrange for the employment of students in accordance with the plans approved by the Vice-Chancellor;
(*d*) to supervise the extra-curricular activities of students;
(*e*) to assist in the placement of graduates of the University; and
(*f*) to organise and maintain contact with the Alumni Association of the University.

28. **The Registrar.**—(1) The Registrar of the University shall receive such remuneration and other emoluments as may be prescribed and shall not, during the tenure of his office, accept any remuneration or emoluments other than the prescribed remuneration or emoluments.

(2) The powers and duties of the Registrar of University shall be as follows:—

(*i*) to be responsible for the custody of the records and the common seal of the University;
(*ii*) to be the *ex-officio* Secretary to the Academic Council and to the Board and to place before such Council and Board all such information as may be necessary for the transaction of business of the Council or the Board, as the case may be;
(*iii*) to receive applications for admission to the University;
(*iv*) to keep a permanent record of all syllabi, curricula and information connected therewith;
(*v*) to make arrangements for the conduct of such examinations as may be prescribed and to be responsible for the due execution of all processes connected therewith; and
(*vi*) to perform such other duties as may be prescribed or required, from time to time, by the Vice-Chancellor.

29. **The Comptroller.**—(1) The Comptroller of the University shall be a whole-time officer and shall be appointed by the Board, on the recommendations of a Slection Committee, as may be constituted for this purpose under the Statutes.

(2) The Comptroller shall manage the property and investments of the University and advise it in regard to its financial policy.

(3) The Comptroller shall be responsible to the Vice-Chancellor for all accountal matters of the University including the preparation and presentation of its budget and statement of accounts.

(4) The Comptroller shall receive such remuneration as may be prescribed and shall not, during the tenure of his office, receive any remuneration or other emoluments other than the prescribed remuneration.

(5) The Comptroller shall —

(*i*) ensure that expenditure, not authorised in the budget, is not incurred by the University except by way of investment, and
(*ii*) disallow any expenditure not warranted by the terms of any Statute or for which provision is required to be made by the Statutes but has not been so made.

(6) All moneys belonging to the University shall be kept in a Scheduled Bank approved by the Board.

Explanation.—For the purposes of this sub-section "Scheduled Bank" means a bank included in the Second Schedule to the Reserve Bank of India Act, 1934 (11 of 1934).

30. **The Estate Officer.**—The Estate Officer of the University shall be responsible for the custody, maintenance and management of all the buildings, lawns, gardens and other properties of the University.

31. **The Librarian.**—(1) The Libarian of the University shall be incharge of the Library.

(2) The Librarian shall be responsible to the Vice-Chancellor for all matters concerning the Library.

32. **Colleges.**—(1) The following colleges shall be the constituent colleges of the University:—

(*i*) the College of Agriculture, Palampur;
(*ii*) the College of Agriculture, Solan;
(*iii*) such other college as may be established by the University after the commencement of this Act; and
(*iv*) such Central Government institution of agricultural research, technical and extension education in the State of Himachal Pradesh as may desire to be integrated as college of the University.

(2) Every college shall comprise of such departments as may be prescribed and each department shall be assigned such subjects of study as the Academic Council may deem fit.

(3) There shall be a Head of each Department who shall be responsible to the Dean for resident instruction, to the Director of Research for research, and to the Director of Extension Education for extension education.

(4) The Head of each Department shall be selected by the Vice-Chancellor and appointed by him with the approval of the Board.

(5) The duties, powers and functions of the Heads of Departments shall be such as may be prescribed.

33. **Experimental stations for research.**—(1) Subject to the provisions of this Act and the Statutes, the existing experimental stations/sub-stations of the Agricultural Complex of the Himachal Pradesh University shall form part of the University incorporated under this Act. The University may institute/start new experimental stations, sub-stations and/or expand or give up the existing ones.

(2) The Government may transfer to the University experimental stations and research schemes of the related departments from such date as the Government may by notification specify.

34. **Agricultural research programme.**—(1) Subject to the provisions of this Act and the Statutes, the University shall carry on research directed primarily to the problems of agriculture and allied sciences for the benefit of the rural population of the State.

(2) The University through its research organisation shall be the principal agency of control over research activities in agriculture and allied sciences in the State.

35. **Agricultural extension education programme.**—(1) The agricultural extension education programmes of the University shall make useful information based upon the findings of research available to farmers and others to help and solve the problems. It shall conduct demonstrations and training programmes for the benefit of students and farmers. Extension education shall be co-ordinated with other functions of the University and other appropriate agencies of the State.

(2) The University shall be responsible for the agricultural extension education activities in the State necessary to disseminate and demonstrate to cultivators the findings of agricultural research on improved practices essential to improve rural living and to increase agricultural production with special emphasis on food production and utilisation technology.

36. **Appointment of teachers, officers and staff.**—(1) Subject to the provisions of this Act, the members of the staff, other than teachers of the University, shall be appointed by the Vice-Chancellor with the approval of the Board and the teachers shall be appointed by the Board on the recommendations of the selection committee as may be constituted under the Statutes.

(2) Except in cases otherwise provided for in the Statutes, every salaried officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Vice-Chancellor and a copy thereof shall be furnished to the officer or teacher concerned. The contract shall not be inconsistent with the provisions of this Act and the Statutes for the time being in force in relation to the conditions of service.

(3) The procedure for selection of officers, teachers and other employees of the University, unless otherwise provided in the Act, shall be as prescribed.

37. **Transfer of assets and liabilities.**—(1) On the commencement of this Act, the assets and liabilities of the existing Agricultural Complex of the Himachal Pradesh University shall stand transferred to and shall vest in the University incorporated under this Act for all intents and purposes.

(2) The cash balance whether in the form of cash, bank or security deposits and reserve funds held by the Himachal Pradesh University for its Agricultural Complex shall stand transferred to the University incorporated under this Act immediately after the commencement of this Act.

(3) Every contract made by the Himachal Pradesh University for Agricultural Complex, before the commencement of this Act, shall, if subsisting

at such commencement, be deemed to have been made by the University incorporated under this Act.

(4) The provident fund and accounts thereto of every official or other employees of the Himachal Pradesh University, Agricultural Complex shall stand transferred to the University incorporated under this Act in which he has been posted on the commencement of this Act.

38. Legal proceedings.—If at the commencement of this Act, any suit, appeal or other proceedings of whatever nature is pending by or against the existing University in respect of its Agricultural Complex, the same shall not abate, be discontinued or be in any way prejudicially affected by reason of the division of the existing University, but the suit, appeal or other proceedings may be continued, prosecuted or enforced by or against the University incorporated under this Act.

39. Transfer of employees.—(1) All teachers, officers and other employees of the Himachal Pradesh University working in the Agricultural Complex holding office as such immediately before the appointed day, shall on and from such day become the teachers, officers and other employees of the University.

(2) Every teacher, officer and other employee of the Himachal Pradesh University working in the Agricultural Complex on and from the appointed day, shall hold his office or service in the University on the same terms and conditions and with the same rights to pension, provident fund, gratuity and other matters as would have been admissible to him in the Himachal Pradesh University and continue to do so unless and until his employment in the University is duly terminated or until his remuneration and terms or conditions of service are duly altered by the University:

Provided that such inherited employees shall have option to opt for the service conditions as may be offered by the University incorported under this Act:

Provided further that in the event of any dispute or difficulty in the matter of implementation of the provisions of this section the matter shall be referred to the Government, whose decision shall be final.

40. Retirement and other conditions of service.—The age of retirement and other conditions of service of every officer, teacher or other employee of the University shall be such as may be prescribed.

41. Pension or provident fund.—(1) The University shall constitute for the benefit of its officers, teachers, clerical staff and other employees in such manner and subject to such conditions, as may be prescribed, such pension, insurance, and provident fund as it may deem fit.

(2) For such pension, insurance and provident fund so constituted by the University, the Government may declare that the provisions of the Provident Fund Act, 1925 (19 of 1925) shall apply to such fund as if it were a Government provident fund:

Provided that the University shall have power in consultation with the Finance Committee of the Board to invest the provident fund amount in such manner as it may determine.

(3) Persons in Government service transferred to the University shall be governed under such terms and conditions as may be agreed to between the University and the Government.

42. Tribunal of arbitration for disputes between the University and staff.—Any dispute arising out of contract between the University and any officer or teacher or employee of the University shall, on the request of the officer or teacher or employee concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Board, one member nominated by the employee concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940 (10 of 1940) and all the provisions of the said Act with the exception of section 2 thereof, shall apply accordingly.

43. Funds and grants.—(1) *General Fund.*—The University shall have a General Fund to which shall be credited—

(*i*) income from fees, endowments, grants and from properties of the University including hostels, experimental stations and farms;
(*ii*) contribution or grants which shall be made by the Government, on such condition as it may impose;
(*iii*) grants, donations and benefactions; and
(*iv*) other receipts.

(2) *Foundation Fund.*—(*i*) The University shall form a fund called the Foundation Fund from contributions and grants made by the Central Government and the State Government for being credited to that fund and such other sums from the University which may be credited to the said fund.

(*ii*) The moneys in the Foundation Fund shall be invested in the securities mentioned or referred to in clauses (*a*) to (*d*) of section 20 of the Indian Trusts Act, 1882 (2 of 1882).

(*iii*) It shall be competent for the University, in furtherance of its objectives, to accept grants from the Government of Himachal Pradesh or any other State Government or the Central Government or statutory bodies, endowments or donations under such conditions as may be agreed upon between the University and the granter or donor.

(3) *Management of Funds.*—The General Fund, Foundation Fund and other funds of the University shall be managed according to such provisions as may be laid down by the Statutes.

(4) *Government Grants.*—Subject to availability of funds, the State or Central Government shall every year make non-lapsable lump sum grant to the University as follows:—

(*a*) a grant not less than the net expenditure incurred in the Agricultural Complex of Himachal Pradesh University on such of the activities of the institutions of the agriculture, animal husbandry, horticulture, forest and other Government department as were transferred to the Himachal Pradesh University and are to be transferred to the University from time to time;

(*b*) a grant not less than the estimated net expenditure of pay and allowances of the staff, contingencies, supplies and services of the University other than in respect of the activities in institutions referred to in clause (*a*);

(*c*) an annual increase in grant to meet such additional items of expenditure, recurring and non-recurring, as per requirements of the University on account of new schemes and programmes, revision of scales, increments, increase in dearness and other allowances.

44. Finance Committee, its powers and duties.—(1) The Board shall constitute a Finance Committee consisting of—

(*i*) the Vice-Chancellor;

(*ii*) the Finance Secretary to the Government of Himachal Pradesh or his representative;

(*iii*) the Comptroller;

(*iv*) the Heads of Government Departments of Agriculture, Horticulture, Forests and Animal Husbandry; and

(*v*) a member choosen by the Board from amongst its non-official members.

(2) The Finance Committee shall have the following powers, namely:—

(*i*) to examine the annual accounts of the University and to advise the Board thereon;

(*ii*) to examine the annual budget estimates and to advise the Board thereon;

(*iii*) to review the financial position of the University from time to time;

(*iv*) to make recommendations to the University on all matters relating to the finances of the University; and

(*v*) to make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or which involves expenditure in excess of the amount provided in the budget.

45. Accounts and audit.—(1) The annual accounts of the University shall be prepared by the Comptroller under the direction of the Vice-Chancellor and all the money accruing to or received by the University from whatever source and all amount disbursed and paid by the University shall be entered in the accounts.

(2) The accounts and the balance-sheet of the University shall be submitted by the Vice-Chancellor through the Board to the Government which shall cause them to be audited by an agency specifically authorised in this behalf by the State Government from time to time.

(3) The accounts, when audited, shall be printed and copies thereof together with audit report, shall be submitted by the Vice-Chancellor to the Board, which shall forward them to the Government with such comments as it may deem fit and that Government shall cause a copy of the audited accounts together with its comments thereon to be laid before the State Legislature.

46. Construction of references to existing University in any document, etc.—Any reference to the existing University in any law, other than this Act, or in any contract or other instrument, shall be construed,—

(*a*) if such a reference relates to any assets or property held by existing

University for its Agricultural Complex, as a reference to the University incorporated under this Act; and

(*b*) in any other case, as a reference to the Himachal Pradesh University.

47. Obligations to be discharged by the Himachal Pradesh University.—Any obligation incurred, before the appointed day, by the existing University to confer any degree or other academic distinction on, or to issue any diploma or other certificate, to any person or to grant any copy of any degree, diploma, certificate, marks-sheet or other document to any person shall, after the appointed day, be the obligation of the Himachal Pradesh University.

48. Settlement of unresolved disputes.—If any dispute arises by reason of the incorporation of the University, such dispute shall be resolved in the first instance by the Vice-Chancellors of the existing University and the University to be incorporated and in the event of failure of such Vice-Chancellor to arrive at an agreed solution with regard to any such dispute, the matter shall be referred to the Government, whose decision shall be final and binding.

49. Annual report.—(1) The annual report of the University shall be prepared under the directions of the Vice-Chancellor and submitted to the Board at least one month before the annual meeting at which it is to be considered.

(2) The Board shall, after consideration of the annual report, forward a copy thereof to the Government.

(3) On receipt of a copy of the annual report referred to in sub-section (1), the Government shall cause a copy of such report, together with its comments thereon, to be laid before the State Legislature.

50. Delegation of powers.—The Board may delegate to any officer or authority of the University any of the powers conferred on it by this Act or by the Statutes to be exercised subject to such restrictions and conditions as may be prescribed.

51. Constitution of *ad hoc* committee.—Notwithstanding anything contained in this Act and until such time as the authorities are duly constituted the Vice-Chancellor may, subject to the prior approval of the Chancellor or of the Board after it has been constituted, appoint committees temporarily to exercise, perform and discharge any of the powers, functions and duties of such authorities under this Act.

52. Disputes as to constitution of University authorities and bodies.—If any question arises as to whether any person has been duly elected, nominated or appointed or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Chancellor, whose decision thereon shall be final:

Provided that before taking any such decision the Chancellor shall give the person or persons affected thereby reasonable opportunity of being heard.

53. Transitory provisions.—In the year of the establishment of the University, certificates/diplomas and degrees, medals and other distinctions to the students passing out from the Colleges of Agriculture at Palampur and Solan and other institutions of the Agricultural Complex of Himachal Pradesh University, shall be awarded by the Himachal Pradesh University and thereafter

the University incorporated under this Act shall award certificates/diplomas, degrees, medals and other distinctions, etc. as may be prescribed.

54. Removal of difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the purposes of this Act, as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the commencement of this Act.

(2) Every order published under this section shall, as soon as may be after its publication, be laid before the State Legislature.

(3) No order made under sub-section (1) shall be questioned into in any court of law on the ground that no difficulty as is referred to in the said sub-section existed or was required to be removed.

55. Statutes.—Subject to the provisions of this Act, the Statutes of the University may provide for any matter and shall, in particular, provide for the following matters, namely:—

(*a*) the constitution, powers and duties of the authorities of the University;

(*b*) the election, nomination, appointment and continuance in office of the members of the authorities of the University and of the officers, teachers and other employees of the University, including the filling up of vacancies and all other matters relating to these authorities and officers, teachers and other employees for which it may be necessary or desirable to provide;

(*c*) the constitution of the Selection Committees for making recommendations to the Board, for appointments under the Act;

(*d*) the designation, the manner of appointment, the powers and the duties of the officers of the University;

(*e*) establishment of departments of teaching in faculties;

(*f*) procedure of appointment, emoluments and conditions of service, of the Vice-Chancellor and his powers;

(*g*) the classification and the manner of appointment of teachers;

(*h*) the constitution of gratuity or provident fund or both for the benefit of officers, teachers and other employees of the University;

(*i*) the institution of degrees and diplomas;

(*j*) the conferment of honorary degrees;

(*k*) the establishment, amalgamation, sub-division and abolition of departments;

(*l*) the establishment and the abolition of hostels maintained by the University;

(*m*) the institution of fellowships, scholarships, medals and prizes;

(*n*) the maintenance of a register of graduates;

(*o*) the admission of students to the University and their enrolment and continuance as such;

(*p*) the courses of study to be laid down for degrees and diplomas of the University;

(*q*) the conditions under which students shall be admitted to the degree, diploma or other courses and the manner in which the examinations are to be held and the eligibility for the award of degrees and diplomas;

(*r*) the conditions of residence of the students of the University and the levy of fees for residence in hostels maintained by the University;

(*s*) the recognition and supervision of hostels not maintained by the University;

(*t*) the number, qualifications, emoluments and other conditions of service of officers, teachers and other employees of the University and the preparation and the maintenance of record of their services and activities;

(*u*) the fees which may be charged by the University;

(*v*) the remuneration and allowances, including travelling and daily allowances, to be paid to persons employed on the business of University;

(*w*) the conditions for the award of fellowships, scholarships, medals and prizes, stipends and fee concessions;

(*x*) mode of execution of contracts or agreements by or on behalf of the University; and

(*y*) all other matters which by this Act are to be or may be provided for by the Statutes.

56. **Statutes how made.**—(1) The Board may, from time to time, make new or additional Statutes and may amend or repeal the Statutes in the manner hereinafter provided in this section.

(2) The Academic Council may propose to the Board the draft of Statutes and such draft shall be considered by the Board at its next meeting:

Provided that the Academic Council shall not propose the draft of any Statute or any amendment of a Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity to express its opinion upon the proposal, and any opinion so expressed shall be considered by the Board.

(3) The Board may consider any such draft as is referred to in sub-section (2) and pass the proposed Statute or reject or return it to the Academic Council, for reconsideration, either in whole or in part, together with any amendment, which it may suggest.

(4) (*a*) Any member of the Board may propose to the Board the draft of any Statute and the Board may either accept or reject the proposal if it relates to a matter not falling within the purview of the Academic Council.

(*b*) In case such a draft relates to a matter within the purview of the Academic Council, the Board shall refer it for consideration to the Academic Council which may either report to the Board that it does not approve the proposal, which, then, shall be deemed to have been rejected, by the Board or submit the draft to the Board in such form as the Academic Council may approve, and the provisions of this section shall apply in the case of the draft.

(5) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the approval of the Chancellor who may assent thereto or withhold assent or remit the same to the Board for consideration.

(6) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Chancellor.

(7) All Statutes made under this Act shall be published in the Official Gazette.

57. Regulations.—(1) Any authority of the University may make regulations consistent with this Act and the Statutes for—

(*a*) laying down the procedure to be observed at its meetings and the number of members required to form a quorum;
(*b*) providing for all matters which by this Act and the Statutes are to be provided for by the Regulations; and
(*c*) providing for any other matter solely concerning the authority and not provided for by this Act and the Statutes.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be transacted at meetings and for keeping of records of the proceedings of the meetings.

(3) The Academic Council may, subject to the provisions of the Statutes, make Regulations providing for courses of study, system of examinations, and degrees and diplomas of the University after receiving drafts of the same from the faculties concerned.

(4) The Academic Council may not alter a draft received from the faculties, but may reject or return it to the faculties for further consideration together with the suggestions of the Academic Council.

(5) The Board may direct the amendment, in such manner as it may specify, of any Regulation made under this section or the annulment of any regulation made under sub-section (2).

58. Amendment of the Himachal Pradesh University Act, 1970.—On and from the appointed day, the Himachal Pradesh University Act, 1970 (17 of 1970) shall be deemed to be amended to the extent as given in column (3) of the Schedule to this Act.

SCHEDULE

Serial No.	Section	Extent of modification
1	2	3
1.	2	clause (2) shall be omitted.
2.	3	in sub-section (2), the sign and the words, "the Academic Council and the Board of Management" shall be substituted with the words "and the Academic Council".
3.	5	the sign ";" occurring at the end of item (*vi*), shall be substituted with the sign "." and item (*vii*) shall be omitted.
4.	10	existing item (*iii*) shall be omitted and the items (*v*), (*v*), (*v*) and (*v*) shall be renumbered as (*iii*), (*iv*), (*v*) and (*vi*).

1	2	3
5.	12	for the sign and the words ",the Finance Committee and the Board of Management", the words "and the Finance Committee" shall be substituted.
6.	13	whole section shall be omitted.
7.	18	existing item (4) shall be omitted and the items (5), (6) and (7) shall be re-numbered as items (4), (5) and (6).
8.	21	sub-section (3) shall be omitted.
9.	24	whole section shall be omitted.
10.	25	whole section shall be omitted.
11.	26	whole section shall be omitted.
12.	27	whole section shall be omitted.
13.	38	in clause (*a*) the sign and words ",the Board of Management" shall be omitted.

NOTIFICATIONS AND RULES

UNDER

THE HIMACHAL PRADESH KRISHI VISHVA VIDYALAYA ACT, 1978

Date of commencement of Act

AGRICULTURE DEPARTMENT

NOTIFICATIONS

Simla-171002, *the 26th October*, 1978

No. Agr. A (1)2/77.—In exercise of the powers conferred by sub-section (3) of section 1 of the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978 (Act No. 30 of 1978), the Governor of Himachal Pradesh is pleased to order that the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978, shall come into force with effect from the 1st day of November, 1978.

R.H.P. Extra., dated 27-10-1978, p. 1426

Appointment and Delegation

Simla-2, the 20th March, 1979

No. Agr. A-10(2)/78.—In pursuance of sub-section (2) of section 45 of the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978 (Act No. 30 of 1978), the Governor of Himachal Pradesh is pleased to authorise the Local Audit Department, Himachal Pradesh, as the Agency for the purposes of Audit of the Accounts of the Himachal Pradesh Krishi Vishva Vidyalaya, Palampur.

R.H.P. Extra., dated 23-6-1979, p. 505

NOTIFICATIONS AND RULES

UNDER

THE HIMACHAL PRADESH KHADI AND VILLAGE INDUSTRIES BOARD ACT, 1966

Constitution of Board

INDUSTRIES DEPARTMENT

NOTIFICATIONS

Simla-171002, *the 5th February*, 1977

No. 2-130/69-SI.—In pursuance of sections 4, 5 and 6 of the Himachal Pradesh Khadi and Village Industries Board Act, 1966, the Governor, Himachal Pradesh is pleased to appoint the Director of Industries, Himachal Pradesh as one of the member of the aforesaid Board in place of Deputy Secretary (Industries) to the Government of Himachal Pradesh, constituted *vide* notification No. 2-130/69-SI(KB), dated 12th/17th August, 1974.

NOTIFICATION

UNDER

THE HIMACHAL PRADESH HOMOEOPATHIC PRACTITIONERS ACT, 1979

ENFORCEMENT OF THE ACT

स्वास्थ्य एवं परिवार कल्याण विभाग

अधिसूचना

शिमला-171002, 31 जुलाई, 1981

संख्या0 एच0एफ0डब्ल्यू0 11-2/71.—हिमाचल प्रदेश होम्योपैथिक प्रैक्टीशनर्ज अधिनियम, 1979 (1980 का अधिनियम संख्या 3) की धारा 1 की उप-धारा (3) के अन्तर्गत प्रदत्त शक्तियों तथा अन्य सभी शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश, यह आदेश देते हैं कि उपरोक्त अधिनियम 13 फरवरी, 1981 से प्रवृत समझा जाएगा ।

[*Authoritative English text of the Government notification No. HFW-11-2/71, dated* 31-7-1981 *as required under* Article 348(3) *of the Constitution of India*]

HEALTH AND FAMILY WELFARE DEPARTMENT

NOTIFICATION

Shimla-2, the 31st July, 1981

No. HFW-11-2/71.—In exercise of the powers conferred by sub-section (3) of section 1 of the Himachal Pradesh Homoeopathic Practitioners Act, 1979 (Act No. 3 of 1980) and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to order that the aforesaid Act shall and shall be deemed to have come into force with effect from 13th February, 1981.

(R.H.P., Extra. dated 18-8-1981 page 725-26)

THE HIMACHAL PRADESH KRISHI VISHVA VIDYALAYA (AMENDMENT) ACT, 1981

(ACT NO. 5 OF 1981)[1]

ARRANGEMENT OF SECTIONS

SECTIONS:

1. For statement of Objects and Reasons see R.H.P., Extra., dated 2-4-1981, p. 215.

(Received the assent of the Governor, Himachal Pradesh, on the 2nd May, 1981 and was published in R.H.P. Extra., dated the 2nd May, 1981 at page 317-320).

An Act to amend the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978 (*Act No.* 30 *of* 1978).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-second Year of the Republic of India, as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Himachal Pradesh Krishi Vishva Vidyalaya (Amendment) Act, 1981.

(2) It shall come into force at once, except sections 12 and 13 which shall and shall always be deemed to have come into force on the 1st day of November, 1978.

2. **Amendment of section 2.**—After the existing clause (*q*) of section 2 of the Himachal Pradesh Krishi Vishava Vidyalaya Act, 1978 (hereinafter called the Principal Act), the following new clause (*qq*) shall be inserted, namely:—

"(*qq*) "Pro-Vice-Chancellor" means the Pro-Vice-Chancellor of the University;".

3. **Amendment of section 3.**—In sub-section (2) of section 3 of the principal Act, after the words and sign "the first Vice-Chancellor," but before the words "the first members of the Board of Management", the words and sign "the first Pro-Vice-Chancellor," shall be inserted.

4. **Amendment of section 10.**—In section 10 of the principal Act,—

(*a*) after the existing clause (*i*) of sub-section (2), the following new clause (*i-a*) shall be inserted, namely:—

"(*i-a*) the Pro-Vice-Chancellor;";

(*b*) after the existing sub-section (8) the following new sub-section (8-*a*) shall be inserted, namely:—

"(8-*a*) The Pro-Vice-Chancellor shall be the Vice-Chairman of the Board and in the absence of the Vice-Chancellor shall preside at its meetings."; and

(*c*) in the existing proviso to sub-section (9) after the words "the Vice-Chancellor" but before the sign ".", the words "and the Pro-Vice-Chancellor" shall be inserted.

5. **Amendment of section 12.**—After the existing clause (*i*) of sub-section (2) of section 12 of the principal Act, the following new clause (*i-a*) shall be inserted, namely:—

"(*i-a*) The Pro-Vice-Chancellor shall be the *ex-officio*- Vice-Chairman;".

6. **Amendment of section 17.**—After the existing clause (*ii*) of section 17 of the principal Act, the following new clause (*ii-a*) shall be inserted, namely:—

"(*ii-a*) the Pro-Vice-Chancellor;".

7. **Amendment of section 19.**—In sub-section (4) of section 19 of the principal Act, for the words "the senior-most from amongst the Deans and Directors", the words "the Pro-Vice-Chancellor" shall be substituted.

8. **Insertion of section 19-A.**—After the existing section 19 of the principal Act, the following new section 19-A, along with its heading, shall be inserted, namely:—

"19-A.—The Pro-Vice-Chancellor.—

(1) The Pro-Vice-Chancellor shall be a whole time officer of the University. The first Pro-Vice-Chancellor after the commencement of the Himachal Pradesh Krishi Vishva Vidyalaya (Amendment) Act, 1981, shall be appointed by the Chancellor, in consultation with the State Government, on such terms and conditions as the State Government may determine. Subsequent Pro-Vice-Chancellor shall be appointed by the Chancellor in constultation with the Vice-Chancellor.

(2) The term of office of the Pro-Vice-Chancellor shall ordinarily be coterminus with the office of the Vice-Chancellor:

Provided that notwithstanding the expiry of the term of his office, the Pro-Vice-Chancellor shall continue in office until his successor is appointed and enters upon his office.

(3) The emoluments and other conditions of service of the Pro-Vice-Chancellor shall be such as may be prescribed and shall not vary to his disadvantage after his appointment.

(4) On the expiry of the term of his office, the Pro Vice-Chancellor shall be eligible for re-appointment.

(5) A person appointed as Pro-Vice-Chancellor shall retire from office if during the term of his office or any extension thereof, he completes the age of 65 years.

(6) If, in the opinion of the Chancellor, the Pro-Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act, or abuses the power vested in him and if it appears to the Chancellor that the continuance of the Pro-Vice-Chancellor in office is deterimental to the interest of the University the Chancellor may, after consultation with the Board and the Government, by order remove the Pro-Vice-Chancellor after giving him an opportunity of showing cause against the action proposed to be taken in regard to him.

(7) The Pro-Vice-Chancellor may, by writing under his hand addressed to the Chancellor, resign his office. The resignation shall be delivered to

the Chancellor ordinarily at least 60 days prior to the date on which the Pro-Vice-Chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier. The resignation shall take effect from the date of relief.".

9. **Insertion of section 21-A.**—After the existing section 21 of the principal Act, the following new section 21-A, along with its heading, shall be inserted, namely:—

"21-A.—**Powers and duties of the Pro-Vice-Chancellor.**—

(1) Subject to the control and supervision of the Vice-Chancellor, the Pro-Vice-Chancellor shall perform such duties and exercise such powers as may be conferred upon him under the Act or the Statutes or are delegated to him by the Vice-Chancellor or the Board.

(2) The Board shall delegate to the Pro-Vice-Chancellor such powers as are necessary for the proper and efficient functioning of the Solan Agricultural Complex.

Explanation.—For the purposes of this section, "the Solan Agricultural Complex" shall mean the Agriculture College, Solan and shall include all other agricultural institutions and activities located at Solan and at such other places as may be specified by the Government from time to time.".

10. **Amendment of section 2.**—For the sign "." occurring at the end of sub-section (1) of section 24 of the principal Act, the sign ":" shall be substituted and thereafter, following proviso shall be added, namely:—

"Provided that in case of College of Agriculture at Solan, the Dean shall be responsible to the Pro-Vice-Chancellor subject to the over all control of the Vice-Chancellor."

11. **Amendment of section 25.**—In sub-section (1) of section 25 of the principal Act, after the words "the Vice-Chancellor" but before the sign".", the words "but in relation to the Agriculture College, Solan, the Director of Research shall be responsible to the Vice-Chancellor through the Pro-Vice-Chancellor" shall be inserted.

12. **Amendment of section 39.**—For the existing sub-section (2) of section 39 of the principal Act, the following sub-section (2) shall be substituted, namely:—

"(2) Every teacher, officer and other employee inherited from the Himachal Pradesh Univesity under sub-section (1) shall hold and continue to hold his office or service in the University in the same terms and conditions and with the same rights to pension, provident fund, gratuity and other matters as were admissible to him in the Himachal Pradesh University on the day immediately preceding the appointed day:

Provided that such an inherited teacher, officer and other employee shall have the right to opt for the service conditions as may be offered by the University:

Provided further that in the event of any dispute or difficulty in the implementation of the provisions of this section, the matter shall be referred to the Government, the decision of which shall be final.

13. Amendment of section 40.—In section 40 of the principal Act, the word "The" occurring for the first time shall be corrected as "the" and before the words "the age of retirement", the words, figures and sign "Save as provided in section 39," shall be inserted.

14. Amendment of section 44—After the existing clause (*i*) of sub-section (1) of section 44 of the principal Act, the following new clause (*i-a*) shall be inserted, namely:—

"(*i-a*) the Pro-Vice-Chancellor;".

15. Amendment of section 55.—After the existing clause (*f*) of section 55 of the principal Act, the following new clause (*ff*) shall be inserted, namely:—

'(*ff*) procedure of appointment, emoluments and conditions of service of the Pro-Vice-Chancellor and his powers;".

16. Repeal and savings.—(1) The Himachal Pradesh Krishi Vishva Vidyalaya (Second Amdnement) Ordinance, 1980 (6 of 1980) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done, or taken, under this Act, as if this Act was in force on the day on which such thing was done or action was taken.

NOTIFICATION

UNDER

THE HIMACHAL PRADESH KRISHI VISHVA VIDYALAYA ACT, 1978

TRANSFER OF INSTITUTIONS

AGRICULTURE DEPARTMENT

NOTIFICATION

Shimla-171002, the 3rd September, 1981

No. Agr.A(10)-15/80.—In supersession of this Department notification of of even number dated 7th July, 1981, published in the Rajpatra, Himachal Pradesh, dated 1-8-1981 and in exercise of the powers vested in him under Explanation to sub-section (2) of section 21-A of the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978 (Act No. 30 of 1978) the Governor, Himachal Pradesh, is pleased to specify with immediate effect the following Research Stations of the Himachal Pradesh Krishi Vishva Vidyalaya, Palampur, to be included in the Solan Agricultural Complex of the said University:—

(1) Vegetable Research Station, Kalpa;
(2) Temperate Fruit Research Station, Kotkhai (District Shimla);
(3) Regional Fruit Research Station, Mashobra (District Shimla);
(4) Raisin Grapes Research Station, Sharbo (District Kinnaur);
(5) Regional Research Station (Horticulture) in dry temperate area, Tabo, District Lahaul and Spiti;
(6) Regional Research Station (Horticulture) in semi-arid area, Kukumseri, District Lahaul and Spiti; and
(7) Fruit Research Sation, Kandaghat, District Solan.

(R. H.P., dated 26-9-1981. p. 1435—1436)